

REMARKS

Applicants respectfully request reconsideration of the Application in view of the foregoing amendments and in view of the reasons that follow. Claims 4, 11 and 13 are amended. No new matter is added. Accordingly, Claims 1-13 will be pending in the present Application upon entry of this Amendment and Reply.

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Claim Rejections – 35 U.S.C. § 102

1. Claims 4-7 (Fowler et al.)

On page 2 of the Office Action, the Examiner rejects Claims 4-7 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,702,145 to Fowler et al. (“Fowler”).

Independent Claim 4 recites, *inter alia*, “A method for facilitating stowing of a non-first row seat of a vehicle having at least one row of non-first row seats coupled to the vehicle in a seat track, with each non-first row seat having a seat cushion pivotably coupled to a seat back,” the method, in combination with other steps, comprising the steps of “moving the seat cushion forward and downward about a pivotal connection between the seat cushion and the seat back such that the seat cushion is closer to the vehicle floor.” Claims 5-7 depend from independent Claim 4.

Fowler does not disclose, teach or suggest “A method for facilitating stowing of a non-first row seat of a vehicle having at least one row of non-first row seats coupled to the vehicle in a seat track, with each non-first row seat having a seat cushion pivotably coupled to a seat back,” as recited in independent Claim 4. In particular, Fowler does not disclose moving the seat cushion forward and downward about a pivotal connection between the seat cushion and the seat back such that the seat cushion is closer to the vehicle floor, as best shown in Figure 3 of the present application (10/577,747).

Fowler, at best, appears to disclose a seat cushion (42) that rotates and tumbles forward about a forward end (34) of a seat frame structure (30) away from the seat back (52)

(Fowler: col. 4, ln. 53-58; FIG. 5). Accordingly, Fowler does not anticipate that which is disclosed and claimed in the present application.

Claims 5-7 which depend from independent Claim 4 are therefore also patentable (35 U.S.C. § 112 ¶ 4). Applicants respectfully request withdrawal of the rejection of Claims 4-7 under 35 U.S.C. § 102(b).

2. Claim 11 (Sugimoto et al.)

On page 2 of the Office Action, the Examiner rejects Claim 11 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent App. No. 2002/0043850 to Sugimoto et al. (“Sugimoto”).

Independent Claim 11 recites, *inter alia*, “A method for facilitating vehicle ingress and egress with a vehicle including at least one non-first row seat coupled to the vehicle in a seat track and having a seat cushion pivotably coupled to a seat back,” the method, in combination with other steps, comprises the steps of “rotating the seat cushion about a pivotal connection between the seat cushion and the seat back.”

Sugimoto does not disclose, teach or suggest “A method for facilitating vehicle ingress and egress with a vehicle including at least one non-first row seat coupled to the vehicle in a seat track and having a seat cushion pivotably coupled to a seat back,” as recited in independent Claim 11. In particular, Sugimoto does not disclose rotating the seat cushion about a pivotal connection between the seat cushion and the seat back, as best shown in Figure 3 of the present application (10/577,747).

Sugimoto, at best, appears to disclose a seat cushion (42) that rotates and tumbles forward about a base plate (8) of a seat slide device (2) away from the seat back (5) (Sugimoto: pg. 3, par. [0050]; FIG. 2). Accordingly, Sugimoto does not anticipate that which is disclosed and claimed in the present application. Applicants respectfully request withdrawal of the rejection of Claim 11 under 35 U.S.C. § 102(b).

3. Claim 13 (Takada et al.)

On page 3 of the Office Action, the Examiner rejects Claim 13 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,112,109 to Takada et al. (“Takada”).

Independent Claim 13 recites, *inter alia*, “A vehicle seat for facilitating vehicle ingress and egress in a vehicle,” comprising a vehicle seat, among other elements,” wherein the seat cushion is pivotably coupled to the seat back such that the seat cushion may be flipped forward.”

Takada does not disclose, teach or suggest “,” as recited in independent Claim 13. In particular, Takada does not disclose a vehicle seat “wherein the seat cushion is pivotably coupled to the seat back such that the seat cushion may be flipped forward, as shown in Figure 6 of the present application (10/577,747).

Takada, at best, appears to disclose a vehicle seat having a upper and lower seat back (6, 7) wherein the lower seat back () wherein only the lower seat back (7) is pivotably movable relative to the seat cushion (1) (Takada: pg. 3, lns. 10-13; FIG. 1). Accordingly, Takada does not anticipate that which is disclosed and claimed in the present application. Applicants respectfully request withdrawal of the rejection of Claim 13 under 35 U.S.C. § 102(b).

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Allowable Subject Matter

On page 3 of the Office Action, Examiner states that Claims 1-3, 8-10 and 12 are allowed. Applicants thank and agree with the Examiner for the indication of allowable subject matter.

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 12-2136. Should no proper payment be enclosed herewith, as by a

check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 12-2136. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 12-2136.

Applicants respectfully assert that all issues raised in the Office Action have been fully addressed in this Amendment and Response and that the claims as pending are now in condition for allowance which action is respectfully requested. If the Examiner disagrees with the above for any reason and believes a telephone interview would be useful in resolving any such issue, it is requested that the Examiner contact the undersigned.

Respectfully submitted,

Date: September 22, 2009

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